

and the motion to reconsider will be considered made and laid upon the table.

The majority leader.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, following disposition of the House message related to H.R. 5021, the highway bill, the Senate vote on cloture on Calendar No. 848, the Pryor nomination; further, that if cloture is invoked, all postcloture time be expired at 5:30 p.m. on Monday, September 8, 2014, the Senate resume executive session and the Senate proceed to vote on confirmation of the nomination; further, that if confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, we will have two more votes.

We will be in session tomorrow. There will be no votes tomorrow, but there will be some activity here that we have to complete. So the next vote will be Monday, September 8.

HIGHWAY AND TRANSPORTATION FUNDING ACT

Mr. REID. Mr. President, I ask that the Chair lay before the Senate the House message to H.R. 5021.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 5021) entitled "An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the highway trust fund and for other purposes."

The PRESIDING OFFICER. The majority leader.

Mr. REID. I move to recede in the Senate amendment to H.R. 5021.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, we request 2 minutes of debate on this side, 1 minute for the chairman of the Finance Committee and 1 minute for the chairman of the public works committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Following that, I ask that 18 minutes be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon.

Mr. WYDEN. Mr. President, it is no secret that this Transportation bill is not the Senate's first choice. However, the alternative to acting tonight on transportation is to put at risk America's economy, our communities, and our quality of life. As Senator HATCH noted earlier tonight, the Senate had a real transportation debate this week with amendments, alternatives, and bipartisan initiatives. This will serve us well as we begin to work as soon as the Senate returns to develop a long-term, bipartisan transportation plan that ensures that our big-league economy is not plagued by little-league infrastructure.

I urge the Senate to support the legislation.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Senators, I will be brief. It is so unfortunate that the House walked away from the work we did, the bipartisan work we did together—79 votes. My goodness. We can't get that these days for Mother's Day. So it was fantastic what we did: the work of Senator WYDEN and Senator HATCH, the work of Senator CARPER and Senator CORKER, the work of Senator VITTER in our committee that I as chair. It is very sad because what we wanted to do was to take care of this problem this year, in this Congress, on our watch, not kick the can down the road. That is what they chose to do in the House. It is most unfortunate, and their pay-fors were just a lot of smoke and mirrors.

Having said all of that, we all know—and colleagues have asked me how am I going to vote—that we can't walk away from the highway trust fund. We can't let it stagger and fall. Millions of jobs and thousands of businesses depend on it.

So I will be voting aye, and I will be working with Senator WYDEN and the rest of my friends and colleagues to make sure we get a multiyear bill as soon as possible.

Thank you. I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN), the Senator from Iowa (Mr. HARKIN), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

The result was announced—yeas 81, nays 13, as follows:

[Rollcall Vote No. 255 Leg.]

YEAS—81

Ayotte	Gillibrand	Moran
Baldwin	Graham	Murkowski
Barrasso	Grassley	Murphy
Begich	Hatch	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Pryor
Blunt	Heller	Reed
Booker	Hirono	Reid
Boozman	Hoeven	Risch
Boxer	Inhofe	Rockefeller
Brown	Isakson	Sanders
Burr	Johanns	Schumer
Cantwell	Johnson (SD)	Shaheen
Cardin	Kaine	Shelby
Casey	King	Stabenow
Chambliss	Kirk	Tester
Coats	Klobuchar	Thune
Collins	Landrieu	Toomey
Coons	Leahy	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Manchin	Vitter
Donnelly	Markey	Walsh
Durbin	McCaskill	Warner
Enzi	McConnell	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wicker
Franken	Mikulski	Wyden

NAYS—13

Carper	Johnson (WI)	Rubio
Coburn	Lee	Scott
Corker	McCain	Sessions
Cruz	Paul	
Flake	Portman	

NOT VOTING—6

Alexander	Hagan	Roberts
Cochran	Harkin	Schatz

The PRESIDING OFFICER. The motion to recede from the Senate amendment to H.R. 5021 is agreed to.

EXECUTIVE SESSION

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Jill A. Pryor, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Sheldon Whitehouse, Patty Murray, Amy Klobuchar, Maria Cantwell, Jack Reed, Bill Nelson, Elizabeth Warren, Tom Udall, Mazie Hirono, Richard Blumenthal, Barbara Boxer, Tom Harkin, Benjamin L. Cardin, Charles E. Schumer.

Mr. LEAHY. Madam President, for the fifth year in a row, more than a dozen qualified, consensus judicial nominees pending before the full Senate will remain on the Executive Calendar during the August recess. Each year, I have come before the Senate to remind my fellow Senators that their refusal to take action on these nominations prior to the August recess is an unfortunate departure from Senate tradition and to urge them to stop their obstructive practices and delay tactics. Again, I am disappointed to see partisanship and senseless obstruction